

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 20, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-25289 - APPLICANT/OWNER: QUAN PHAM**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0061-98) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/24/07, except as amended by conditions herein.
4. A Waiver from the Title 19.12 Landscape and Buffer Standards is hereby approved, to allow:
 - a. A five-foot wide landscape buffer where a 15-foot wide buffer is required, and;
 - b. No buffer along a 57-foot portion of the north property line where eight feet is required.
5. An Exception from LVMC 19.10.010 (J) 11.C.i is hereby approved, to allow no parking lot trees in the off-site parking area where at least two 24-inch box trees are required.
6. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect:
 - a. A 12-foot high freestanding sign that is internally lit with no exposed neon tubing.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein:
 - a. Showing a five-foot setback from property lines for the freestanding sign located at the corner of Pardee Place and Sahara Avenue.

SDR-25289 - Conditions Page Two
December 20, 2007 - Planning Commission Meeting

- b. The 22-foot wide by 18-foot deep area dedicated for the Van Accessible Handicapped Parking requirement shall comply with Accessible Parking Standards as illustrated in Title 19.10.010(K), Figure 4.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

SDR-25289 - Conditions Page Three
December 20, 2007 - Planning Commission Meeting

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. The proposed pan style driveway shall be designed and constructed per Standard Drawing #224 and shall be a minimum width of 24 feet.
18. Landscape and maintain all unimproved rights-of-way, if any, on East Sahara Avenue and Pardee Place adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public rights-of-way adjacent to this site.
20. The proposed entry gate shall remain open during regular business hours. The installation of a rolling gate is acceptable as long as no part of the gate, either in the opened or closed position, intrudes into the public right-of-way.
21. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

SDR-25289 - Staff Report Page One
December 20, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review to construct a single story, 1,845 square-foot Dental Office on 0.18 acres located at 2413 Pardee Place. The applicant has requested a Waiver from the Title 19.12 Landscape and Buffer Standards to allow a five-foot wide landscape buffer where a 15-foot wide buffer is required and to also provide no buffer along a portion of the north property line where eight feet is required.

The applicant has made adequate accommodations for the relatively small Dental Office. Staff recommends approval of this proposed Dental Office, as it complies with the allowable uses in the C-1 (Limited Commercial) Zoning District.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/4/92	The City Council approved a Rezoning (Z-0072-92) of this property from the R-2 (Medium-Low Density Residential) Zoning District to the C-1 (Limited Commercial) Zoning District. The Planning Commission recommended approval on 10/08/92. The site was not developed, and the Rezoning expired.
10/13/98	The City Council approved the request for a Rezoning (Z-0061-98) on property located at 1400 East Sahara Avenue from the R-2 (Medium-Low Density Residential) Zoning District to the C-1 (Limited Commercial) Zoning District for a proposed two-story, 2,400 square-foot office building. The Planning Commission recommended approval on 9/10/98. The Resolution of Intent has not expired.
<i>Related Building Permits/Business Licenses</i>	
There are no recorded Building Permits or Business Licenses against the property located at 2413 Pardee Place.	
<i>Pre-Application Meeting</i>	
10/24/07	A pre-application meeting was held with staff to discuss the actions required to develop a 1,845 square-foot Dental Office. Staff informed the applicant that the property maintains the C-1 (Limited Commercial) Zoning District under a Resolution of Intent that has not expired.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

SDR-25289 - Staff Report Page Two
December 20, 2007 - Planning Commission Meeting

Field Check	
11/15/07	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> • The site is undeveloped with from Pardee Place only (no curb cuts along Sahara Avenue). • Existing 6-foot (approximate) screen wall along the side and rear of subject site.

Details of Application Request	
Site Area	
Net Acres	0.18 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	R-2 (Medium-Low Density Residential) under Resolution of Intent to C-1 (Limited Commercial)
North	Duplex housing	ML (Medium Low Density Residential)	R-2 (Medium-Low Density Residential)
South	Apartments	Unincorporated Clark County	Unincorporated Clark County
East	Duplex Housing	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	R-2 (Medium-Low Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 feet	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

SDR-25289 - Staff Report Page Three
December 20, 2007 - Planning Commission Meeting

- **A-O (Airport Overlay) District**

The proposed single-story Dental Office has a finished height of 13-feet, six inches. Staff finds that this proposal will not adversely affect the 175-foot height restriction placed by the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following Commercial Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 feet	67 feet	Y*
Min. Setbacks			Y
• Front	20 feet	60 feet	Y
• Side	10 feet	10 feet	Y
• Corner	15 feet	15 feet	Y
• Rear	20 feet	20 feet	Y
Max. Lot Coverage	50%	23%	Y
Max. Building Height	NA	13 feet, 6 inches	Y
Mech. Equipment	Screened from public ROW	Screened from public ROW	Y

** The subject site is an existing non-conforming lot as the previously approved Rezoning (Z-0061-98) to the C-1 (Limited Commercial) Zoning District. Since this Site Development Plan Review is the final requirement to secure hard zoning, a Variance for the existing lot width is not required.*

Pursuant to Title 19.08.060 the following Adjacency Standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
Adjacent development matching setback			
• Side	5 feet	10 feet	Y
• Rear	20 feet	20 feet	Y
Trash Enclosure	50 feet	Not shown	Y*

**The applicant has state that waste management will be handled by curbside pick-up as the relatively small Dental Office is not anticipated to generate enough trash to justify a trash enclosure.*

SDR-25289 - Staff Report Page Four
December 20, 2007 - Planning Commission Meeting

Pursuant to Title 19.12, the following parking standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	2 Trees	0 Trees	N
Buffer:	1 Tree/ 20 Linear Feet	9 Trees		
Min. Trees	1 Tree/ 30 Linear Feet	6 Trees	2 Trees	N
TOTAL		17 Trees	2 Trees	N
Min. Zone Width	8 Feet		0 feet	N*
Wall Height	6 Feet		existing 6-foot wall	Y

**A Waiver to the Title 19.12.040 Landscape and Buffer Standards has been requested to address the reduced widths along the north, south, and west property lines with no landscaping provided for a 57-foot portion along the north property line.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Dental	1,845 SF	1:300 SF GFA	6	1	9	1	
TOTAL (including handicap)			7 spaces		10 Spaces		Y

Freestanding Signs: Title 19.14.060(F)		
Standards	Allowed	Provided
Maximum Number	1 / per street frontage	1 street frontage
Maximum Area	48 SF.	28 SF
Maximum Height	12 feet	12 feet
Minimum Setback	5 feet	2 feet (approximate)
Illumination	Internal illumination only	Neon*

**The provided elevation of the freestanding sign lists "Neon" in the description. Exposed neon tube is not allowed within 200 feet of residential property.*

SDR-25289 - Staff Report Page Five
December 20, 2007 - Planning Commission Meeting

Waivers and Exceptions		
Request	Requirement	Staff Recommendation
Five-foot wide landscape buffer	15-foot wide buffer	Approval
No landscape buffer along north perimeter	8-foot wide buffer	Approval

ANALYSIS

- **Land Use and Zoning**

The 0.18 acre subject site maintains the SC (Service Commercial) General Plan Land Use Designation and is located within the R-2 (Medium Low Density Residential) Zoning District under a Resolution of Intent to the C-1 (Limited Commercial) Zoning District. The Resolution of Intent has not expired; therefore the C-1 (Limited Commercial) zoning classification shall guide the development standards of this proposal. The proposed Dental Office use is supported in the SC (Service Commercial) Land Use Designation and the related C-1 (Limited Commercial) Zoning District. The proposed development is also located within the 200-foot height-restricted area of the Airport Overlay District. As the proposed building height has been shown at 13 feet, 6 inches, no adverse affect is anticipated within this Overlay District.

- **Site Plan**

The site depicts a 1,845 square-foot Dental office fronting Pardee Place with an entrance oriented towards Sahara Avenue. The applicant has provided adequate parking placed at the front of the building along Pardee Place. Pedestrian access is provided to the front entrance of building from the sidewalk adjacent to Sahara Avenue while vehicular access is provided by a 22-foot wide curb-cut on Pardee Place for which the applicant will need an approved deviation from standards approved by the City Engineer.

- **Landscape Plan**

The provided landscape plans show adequate landscaping with two 24-inch box trees placed 20 feet on center in the rear of the property. Although this site is deficient in the amount of required trees, the applicant has made efforts to provide an adequate amount of shrubbery and landscaping to offset this deficiency. A waiver to the Title 19.12.040 perimeter landscape buffer requirements has been requested for the north, south, and east property line. Staff finds that no significant impact will result from the reduced landscape buffer widths as the applicant has made efforts to provide an adequate amount of trees and ground-cover plants for the considerably small lot.

SDR-25289 - Staff Report Page Six
December 20, 2007 - Planning Commission Meeting

- **Elevations**

The provided elevations show a simple rectangular-shaped contemporary building design finished with stucco painted off-yellow with dark red trim. The elevations show the façade oriented towards Sahara Avenue with a sidewalk entrance to the office provided in addition to the parking lot access.

- **Residential Adjacency**

The proposed building height is 13 feet, 6 inches, less than the maximum allowable 15-foot height requirement. The proposed building is also in compliance with adjacent matching setbacks for the P-R (Professional Office and Parking) zoned property located to the north.

- **Signage**

The proposed site plan and elevation show a freestanding sign located at the southeast corner of the property. The proposed sign does not show the adequate five-foot setback and calls out neon on the provided elevations. Per Title 19.14.070, exposed neon tube is not allowed on signs located within 200 feet of residential property. This Site Development Plan Review has been conditioned to provide revised site plans and elevations that comply with the Title 19.14.060 Standards for Commercial Signage in the C-1 (Limited Commercial) Zoning District.

- **Floor Plan**

The provided floor plan is typical of a small Dental office with four small operating rooms and one larger operating room that surround a central dentist's office. There is a small lobby/waiting area at the entrance of the building with two restrooms located at the north end of the building.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed Dental Office is compatible with the pattern of development in the area. The subject site received prior approval for a two-story, 2,400 Office Building. The entitlements to the C-1 (Limited Commercial) Zoning District have not expired as the original approval has not secured a completed Site Review. This Site Development Plan Review and the subsequent development will complete the requirement for finalizing the rezoning.

SDR-25289 - Staff Report Page Seven
December 20, 2007 - Planning Commission Meeting

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed Dental Office use is typical of the SC (Service Commercial) land use designation and is a permissible use in the C-1 (Limited Commercial) Zoning District. The applicant has requested a Waiver to the Title 19.12 Landscape and Buffer Standards proposed design.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is provided by a one-way driveway from Pardee Place, classified as a 60-foot wide Local Street, from Sahara Avenue, defined as a 150-foot-wide Primary Arterial by the Master Plan of Streets and Highways. There are no site access and circulation concerns with the site plan.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials and colors are appropriate for the area and are in context with the commercial development along Sahara Avenue. Although the applicant has requested a Waiver from the Title 19.12 Landscape and Buffer requirements, the proposed landscape palette materials are compatible with the desert environment and provide an aesthetically pleasing environment.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations are compatible with the development in the area, and are in compliance with the Residential Adjacency Standards as set forth in Title 19.08.060. The finished height of the proposed Dental Office is shown as 13 feet, 6 inches high, less than the maximum single-story height of 15 feet, which allows the building to be constructed to setback lines.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed Dental Office will be subject to the required reviews for Building Permits and a final inspection prior to the issuance for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

SDR-25289 - Staff Report Page Eight
December 20, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 176

APPROVALS 1

PROTESTS 1